

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12007 of 2014

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Surendra Prasad, Son of Late Keshri Prasad, Resident of Village –
Mohmadpur, P.S. – Karai Persurai, District – Nalanda

.... Petitioner

Versus

1. Umesh Prasad
2. Vinesh @ Dinesh Prasad
3. Ranjan Prasad

All sons of Late Suresh Prasad, all resident of Milkipur, P.S. –
Ekangarshari, District – Nalanda, presently residing at village
Mohammadpur, P.O. – Niriya Tulshipur, P.S. – Karai Parsurai,
District – Nalanda

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Respondents : Mr. Ujjwal Kumar Singh,

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 16-08-2016

Heard learned counsel for the petitioner.

The plaintiff-petitioner in this application under Article 227 of the Constitution of India has prayed for quashing of the impugned order by which the learned court below has passed the order for reconstruction of Ext.A and Ext.B in the suit by exhibiting the photo copies of the said documents on the direction passed by the learned District Judge.

It is not in dispute that the two documents had been marked as Ext.A and B in the suit, but subsequently those two Exhibits were missing from the records. The learned court below sought a direction from the learned District Judge for reconstruction of the records with regard to those two Exhibits and

after receiving the direction from the learned District Judge the impugned order has been passed exhibiting the photo copies of Ext.A and B for the purpose of reconstruction.

The learned counsel for the petitioner has accepted that it is not the case of the petitioner that the photo copies of those two Exhibits, as produced by the defendants, are not the exact copies of the same.

In this backdrop, this Court finds that no illegality or irregularity has been committed by the learned court below in passing the impugned order requiring interference under Article 227 of the Constitution of India and, accordingly, the petition is dismissed.

(V. Nath, J.)

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